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M. YEE

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

ZELLA MAYE FREEMAN,

Plaintiff,

vs.

CITY OF FRESNO, R. GARRISON (F.P.D.
Badge No. 780), MARK A. YEE (F.P.D.
Badge No. 692), J. CAPRIOLA (F.S.O. Badge
No. 7622), I. BARRIMOND (F.S.O. Badge
No. 1153), J. HOLLINS (F.S.O. Badge No.
2346), R. PEREZ (F.S.O. Badge No. 6169),
A. SIMONSON (F.S.O. Badge No. 9364),
inclusive,
Defendants.

) CASE NO. 1:05-CV-00328-OWW-SMS

)

)

) **STIPULATION AND ORDER REGARDING**
) **EXTENSION OF DATES TO FILE**
) **OPPOSITION, REPLY AND TO HEAR**
) **DEFENDANTS' MOTION FOR SUMMARY**
) **JUDGMENT**

)

) **FRCP 29; Local Rule 6-144(a)**

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) Hearing Date: October 23, 2006

) Time: 10:00 a.m.

) Courtroom: 3

) Honorable Oliver W. Wanger

) Trial Date: October 24, 2006

IT IS HEREBY STIPULATED by and between the parties that the following dates will
be extended:

1. Plaintiff has requested a 21-day extension to file her Opposition to Defendants'
Motion for Summary Judgment, which is currently due on August 28, 2006.
This date will be extended and Plaintiff's opposition is now due on September
18, 2006.

2. The hearing on Defendants' Motion for Summary Judgment will be extended from September 11, 2006 at 10:00 a.m. to October 23, 2006 at 10:00 a.m.
3. Defendants' Reply will be due five court days prior to the hearing in accordance with the Local Rules.
4. The Parties further agree that due to the pending issues before the court within the motion for summary judgment, a meaningful pre-trial conference cannot be had. As such, the pre-trial conference currently set for September 11, 2006 at 11:00 a.m. will be vacated.
5. The parties understand that if the hearing on Defendants' motion for summary judgment is heard on October 23, 2006, it will be highly unlikely that the trial will begin on October 24, 2006 as scheduled. As such, new pre-trial and trial dates will be discussed and rescheduled at the summary judgment hearing on October 23, 2006.

DATED: August 25, 2006

WEAKLEY, RATLIFF, ARENDT & McGUIRE, LLP

By: /s/ Erica M. Camarena

Erica M. Camarena
Attorney for Defendants

DATED: August 24, 2006

NUTALL & COLEMAN

By: /s/ Mark Coleman (as authorized on August 24, 2006)

Wesley E. Stupar
Attorney for Plaintiff

ORDER

IT IS SO ORDERED.

Dated: August 30, 2006
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/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE